

District VI Advisory Board
Minutes
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Monday
March 2, 2009
6:30 p.m.

Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom

The District VI Advisory Board meeting was held at 6:30 p.m. at the Evergreen Recreation Center Lounge Clubroom 2700 N. Woodland. District VI councilwoman led the meeting with nine (9) District Advisory Board members in attendance, seven (7) city staff and ten (10) members of the public who signed in.

Members Present

C. Bickley Foster
Charlie Claycomb
Carol Skaff
Bob Schreck
Janet Miller
Bob Wine
Pat Randleas
John VanWalleghen
Bob Aldrich

Members Absent

Marsha Carr
Jaya Escobar

Staff Present

Terri Dozal, Neighborhood Assistant
Officer Sharp Patrol North
Officer Davidson, Patrol West
Battalion Chief, Fire
Derek Slocum, Planner
Becki Lewis, ES
Gary Jansen, Public Works

Guests

Listed at end

Council Member Fearey called the meeting to order at 6:35 p.m. welcoming everyone and asked members to introduce themselves and state their representation on the board.

Approval of Minutes

The minutes for February 2, 2009 were approved with amendments. **(Skaff/Schreck 8-0)**

Approval of Agenda

The agenda was approved as submitted. **(Skaff/Schreck 8-0)**

Public Agenda

1. **Scheduled items:** None
2. **Off-agenda items:** None

Staff Presentations

3. **Community Police Report**

Patrol West: Officer Davison said auto thefts had increased along 13th/West and St. Paul streets. Flyers were passed out to the area neighbors to be aware of the thefts. Also, there had been residential burglaries taking place and a citizen around 14th and West Street reported suspicious activity to 911. A person was arrested and this has now helped clear up other burglaries. So please call the police when you see suspicious activity.

Schreck asked officers if they had found the red car with the city logo that had been taken. *Davison* reported he did not know about that.

Patrol North: Officer Sharp Beat 48 stated officers have been working on graffiti assignments. Some DUI arrests have been made including one with carrying a concealed gun who was a known gang

member. Special assignments were done near North High due to breaking into cars. This has now decreased. Also there were 13 prostitution arrests.

Patrol South: Officer Carlson said in Old Town there has been increase/decrease in auto break-ins since last year to present and does not matter if the vehicles are unlocked or locked. Officers continue to use a rental vehicle as a bait car to try and catch some vandals but there has been very little success. There will be continued surveillance in Old Town and downtown with more bike patrols.

*******Action:** Receive and file

4. **Fire Department Report**

Staff reported there had been two large fire incidents with one at 1810 N. Jackson and another along N. West St. in a restaurant. Officers handled 470 total calls with 90 fires and 230 misc. services.

It was also reported that Station 21 and 22 would open in late spring.

Recently seven members of DAB helped with the interview process for promotions to Battalion Chief. DAB 6 member **Bob Schreck** participated and stated it was a day long process but very worthwhile. There were 14 applicants applying for the promotion. **Schreck** included he was impressed with the new process to fighting fires by placing fans at the onset which pushes away the smoke and allows for any victims to be located faster. Staff also said the FLASH PROGRAM is new. After a fire this allows officers to notify the neighborhood of where the fire took place and offer any assistance to their concerns.

***** **Action:** Receive and file

New Business

5. **CON2009-00004 and ZON2009-00005**

The District VI Advisory Board (DAB) considered a city zone change from SF-5 Single-family Residential to TF-3 Two-family Residential; generally located north of W. Central Ave and east of N. Mt. Carmel Ave and City Conditional Use request for multi-family development within the TF-3 Two-family Residential zoning district; generally located north of W. Central and east of N. Mt. Carmel Ave (2929 W. Elm.).

The members were provided the MAPD staff report for review prior to the meeting. *Derek Slocum*, Planner presented the case background, reviewed the staff recommendation and answered questions of members and the public.

The Board asked the following questions/comments: *Responses in Italics*

- Where are the residents to park, it will be hard for a fire truck to get into this area.
- Has this case been discussed with the Fire Dept.?
- Are two parking spaces per unit adequate?
- Have there been any variances submitted from the applicant? *No*
- Is this to be a one or two car garage? *A one car per unit for a couple or a couple with one child.*

There were no members of the public to speak in favor/opposition of the request.

Dennis Niedens, applicant stated the sketch submitted was a rough draft and the density was low enough for two parking spaces as the units are small. The sewer divides the property in half and we could use the sewer easement for more parking. Once the property is platted it will probably require accommodating for fire vehicles. We also want to preserve a lot of the trees and will do underground utilities.

Foster said Mr. Niedens is a one-man affordable housing infill owner and commends him for all the good work he does.

******Action:** The DAB VI members made a motion to recommend to City Council Approval (Foster/Schreck 8-0) of the zone change and conditional use requests based on staff recommendations.

Miller arrives at 7:00 p.m.

6. Wichita Street Paving, between Murdock and 8th Street North

Gary Janzen, Public Works gave background on the proposed paving project. Janzen included there is 100 miles of unpaved streets in the Wichita CORE area. The City provides the mechanism for paving streets including the assessment to the owner on their cost of the project which depends on the size of the property lot.

We are here this evening due to a request from the church about what could be done to finish paving Wichita street which was part of the completed bike path project. A public meeting was held last Monday for the area and interested parties in support of the paving project attended. There were other area residents that we have not heard from. In 1985 there was one request for a petition to pave this same street but it didn't follow through. At that time we spoke to the property owners about how to control the dust and we would try to limit traffic to the area as there really was not much hope we would pave.

Aldrich asked if the main driving force for paving the street was due to the bike path. Janzen responded yes but stated that also included the Church and a property owner were interested in paving the street. At present we are talking to KDOT to see if they will assist with some of the dollars to provide for the project.

Foster asked how much Right-Of-Way was needed. Response was 60 ft. Schreck asked if there had been any traffic counts done on Wichita street. Also does the paving have to be cement, couldn't asphalt be used instead? Janzen responded there is heavy traffic on Wichita street. Skaff asked what the input of the biggest shareholders was.

Robert Houston, Pastor stated he was here to ask for DAB support of this project. The church has been there since 1935 and we are in the process of remodeling to provide access for our elderly people.

Alan Wetzel business owner along Wichita St. with controlling footage said he is thrilled about the paving. His concern is the dirt street South of Murdock. This is a hazard; County employees use the street causing lots of dust. We would like to see it also paved.

Roberta Wetzel stated the paving would serve her business better and was excited to see this happen.

Aldrich asked about vacating the property South of Murdock. Janzen said it was possible but the owners on the West side may not like it. We could look into it. Aldrich asked how much business activity was on the West side. Janzen stated he didn't know, possibly a lot.

Claycomb said If people had a problem with this project they would be here to complain.

Fearey finished by saying she would look at the South side of Murdock and see what could be done.

*******Action:** The DAB VI members made a motion to recommend to City Council Approval of the paving project (Foster/Skaff 9-0)

7. Revision of Chapter 6.04 (Animal Control and Protection); Deleting Chapter 6.12 (Keeping Animals and Fowl) and Chapter 6.16 (Cats)

Becky Lewis, Environmental Services staff presented the changes to animal codes and reviewed the 2009 ordinance proposal.

DAB members provided the following questions/comments: *Responses in Italics*

- What about annual certifications or why not have just three-year certifications or does it cost too much?
The animals won't have to go to the Vet every year they can just get the rabies certification from them if it's still in effect.

- How practical is it to put a collar on a cat? *This makes it easier for the animal control officer to identify.*
- About the cost of the microchip, what happens to the owner if they don't abide. *They will receive a citation and go to Environmental court.*
- As a citizen what do I do to notify about a loose dog, call Animal Control? *Yes to calling, but we do miss calls but will respond as soon as we can especially if it is a loose pit bull.*

Fearey commented that the department has become more computerized. *Lewis* stated if it is after hours there is an animal control officer in the field and he would get the call.

- If someone has moved into our city and they have there pet micro-chipped, do they have to pay again to be in compliance with our regulations? *The microchip can be updated with the new address and the Vet's name. The owner will need to be responsible to do this.*
- With an animal maintenance permit for cats, will there be any consideration on the amount of indoor cats? *Only 4 cats with no allowing for difference.*
- With the six month waiting period to get the dog micro chipped, can someone wait six months to get this done and then try to transfer ownership. Would there be another six month wait? *No, they would need to get the dog micro chipped immediately.*
- What about a Pit-bull pup is there anything you can do? *Call animal control to report and when the officer comes he will ask the owner for their license.*

Schreck stated this was a good combination of all ordinances but on Pg. 57 of the proposal you need to stipulate the annual fee. I look forward to the dog run part.

- How would you determine one acre for a horse? *About one acre for a horse I'm not sure this includes the house. Fearey said she thought the one acre included the house.*
- What about the disposal of horse waste, how will you monitor - by neighbors complaining or what? Will you be actively checking? *This will depend on the complaints coming in. We won't add more staff but we could charge more fees.*
- On the waiver approved by the Health Officer, will the neighbors be notified about horses? If they have not complied with their home maintenance would they not be allowed to have animals? *This deals with building code violations depending on animal maintenance.*

Fearey said everyone could email her or Environmental Services with concerns up till the day of the presentation.

- Will there be exemptions for facilities like COW TOWN? *We have talked about exemptions.*
- On the definition of Pit bull there is no reference to mixed breed pit bull. *Page 10 explains the definition unless the vet certifies the dog isn't a pit bull. What about if we added on pg. 10 mixed breed? We could change the order of words.*
- Pit bulls that are grandfathered in will they need to be micro chipped and spayed? *Yes. Breeders can't have more than 2 dogs correct?*
- Where will I be allowed to ride horses? *No code to address this. Animal waste droppings in the street, will this be ticketed? Yes.*
- Around 50th/Arkansas they are bringing in horses and riding on weekends, legal or not? *Stables have to be in a commercial zone. We are looking at this but haven't gotten onto the property. You have to have permission to go onto people's property for complaints? Yes.*
- What about spot checks, how can you enforce this? *If we felt there is a reason to go on the property we would get a warrant. 80% of the time people will let us on their property.*
- Would stables for horses be grandfathered in? *We would require a home occupation license.*
- What about Dog and Cat Census? *We have done very few.*
- I would consider you rewrite the ordinance that animal control staff be allowed on property if needed.

Bruce Simkins: Horse Waiver will you specify which waiver is granted? *I don't know if a horse waiver would be allowed.*

Stephanie Rader: 2529 N. Richmond my dogs are licensed, spade and indoor couch potatoes. My concern is when this change fails we will have to reconsider not reporting all facts about pit bulls. You have an understaffed Animal Control department. We called them to get some one to come and pick up a dog running loose for several days and then we received a severe fine for having an unlicensed dog. Please give more money to Animal Control to get the issue under control.

Veta: At 518 W. 41st/N the neighbors have horses and don't have or are not following any requirements. They ride in the yard and bring in more horses on weekends. I have turned this in and no one comes out. They have now built a fence so we can't see in.

- If you already own a horse and don't have one acre, are you grandfathered in? *If they don't have a permit now for a particular horse.*

Fearey stated they would need a permit every year for the same horse that is grandfathered in. *They would need to provide the color, sex, age of horse as requirements.*

Daniel Keane, Longlane: It has been over one year this has been going on at 518 W 41st N. As a landowner I shouldn't have to be fighting for this. This is not a good neighborhood environment. I grew up on a farm with 200 cows which all looked the same. They should require horses have tattoo or tagging. Realtors don't care about what goes on the property. They should be penalized.

- People are buying properties being told one thing and then it is found out later what they can/can't do.

Fearey stated she had worked with **Pat Randleas** on this as the ordinance is not clear about horses.

- I think there should be harsh penalties for owners as the ordinance is pretty light. More harsh fines and restrictions.
- There are not enough animal control personnel to do enforcement. There should be a few door to door campaigns about getting more personnel. The fees are way to low. If a pet is not micro chipped then what? I want to see the fines increased.
- Why would we allow for variance? *It could be for dogs and cats but I don't think we would allow the waiver for livestock.*

Daniel Keane asked if there was a variance for acreage and if there is a threshold they can't go below.

- Has the variance always been in the ordinance? *Yes.*

Wine finished by stating you can appreciate the changes in the ordinance due to what WIN has gone through to assist with the animal codes especially for pit bulls. The filing system used to be 3x5 cards with no information on the computer. WIN recommended computers for maintaining records but they still can't use the computer in their cars. We gave pressure to give more resources to staff that were needed. I believe this is a reasonable ordinance.

Fearey finished by saying that with the new ordinances staff can work more effectively.

***** **Action:** The District VI Advisory Board considered the proposed revisions and provided comments.

Board Agenda

8. Problem Properties

116 N. Mead: On the East side 1st/2nd Floors there are broken windows.

143. N. Rock Island: the stairs were changed and don't meet code.

***** **Action:** Receive and propose appropriate action.

9. Neighborhood Reports

Orchard Park: The Skate Park has new skate rail waiting to be installed.

8th/Doris intersection: is now paved with concrete so no more dirt road.

Benjamin Hills Neighborhood: held a successful candidate forum - thanks to all the candidates.

The Mayor will hold a Town Hall meeting with the Hispanic Community on March 7th from noon to 3p.m. at Cloud Elementary.

Schreck stated this was his last DAB meeting as he wouldn't be here in April and wanted to thank everyone for tolerating me.

Fearey told **Schreck** Thank you for having volunteered all your time including serving on the Citizens' Participation Organization (CPO) since 1993.

***** **Action:** Receive and file.

Updates from councilmember

- **Commissioner Tim Norton** gives tours of the new arena every Thursday afternoon at 4:00 pm. Would you all be interested in going on the tour? Response was DAB would like to go and the neighborhood assistant is to make the arrangements for this.

Announcements

- Next DAB meeting will be on Monday, April 6, 2009

With no further business to discuss the meeting adjourned at 8:45 p.m.

Guests

M.S. Mitchell	1215 Forest 67203
Dean Whetzel	2401 N. 135 th St. West Whetzel@LuceryWRanch.com
Daniel V Keane	312 W. Longhorn 67204 alliance.daniel@ebcglobal.net
Stephanie Rader	2521 N. Richmond 67204
Robert McBride	1131 W. McCormick
Rev .Foderick Houston	840 N. Wichita MTOLIVETO?@ATT.NET
Bruce Simkins	501 W. 42 nd St. N. Jerry Prichard 1607 N. Clarence
Dennis Niedens	14530 Killnarney Wichita Ks. 67230
J.D. Patton	1939 N. Gow Wichita, Ks. 67203
Aimee Basham	1634 N. Coolidge Wichita Ks 67203 aimeebasham@lycos.com
Jerry Prichard	1607 N. Clarence

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant